

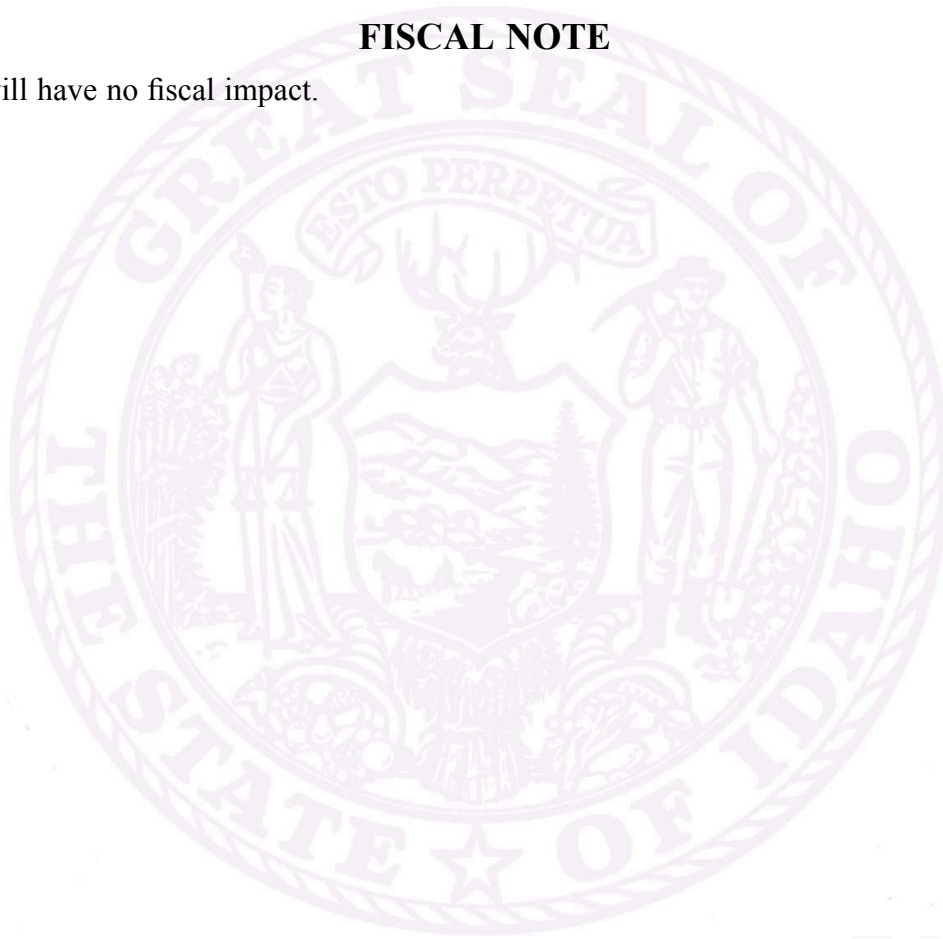
STATEMENT OF PURPOSE

RS22512

Summary Administration under section 15-3-1205, Idaho Code, and the Small Estate Affidavit under section 15-3-1201, Idaho Code have for many years been thought by the practicing bar and by courts to be exempt from the three year limitation on probate proceedings under section 12-3-108, Idaho Code. This has allowed those two procedures to be an easy, efficient, and inexpensive way to pass property to the correct heirs if a standard probate is barred by the three year limitation. However, recently some courts have held to the contrary, and in some districts judges in the same district have ruled differently on that question. This bill eliminates that confusion by clearly stating that the two procedures are not subject to the three year limitation.

FISCAL NOTE

This bill will have no fiscal impact.



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